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MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: INF-Information Notice PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR CITE DATE:

REFERENCE 2163303, 2346303
MESSAGE #
(s):

CASE #(s): C-557-989, C-570-980

EFFECTIVE DATE: 09/24/2015 COURT CASE #:

PERIOD OF REVIEW: 03/26/2012 TO 12/31/2012

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China (C-570-980) assembled in Malaysia (C-557-989)

This is an informational message, no action is required.

1. On 09/24/2015, Commerce added a company-specific case number in ACE for crystalline silicon photovoltaic products, whether or not assembled into modules, from the People's Republic of China (C-570-980) assembled in Malaysia (C-557-989).

2. The merchandise covered by this order is crystalline silicon photovoltaic cells, and modules, laminates, and panels, consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including, but not limited to, modules, laminates, panels and building integrated materials.

This order covers crystalline silicon photovoltaic cells of thickness equal to or greater than 20 micrometers, having a p/n junction formed by any means, whether or not the cell has undergone other processing, including, but not limited to, cleaning, etching, coating, and/or addition of materials (including, but not limited to, metallization and conductor patterns) to collect and forward the electricity that is generated by the cell.

Merchandise under consideration may be described at the time of importation as parts for final finished products that are assembled after importation, including, but not limited to, modules, laminates, panels, building-integrated modules, building-integrated panels, or other finished goods kits. Such parts that otherwise meet the definition of merchandise under consideration are included in the scope of this order.

Excluded from the scope of this order are thin film photovoltaic products produced from amorphous silicon (a-Si), cadmium telluride (CdTe), or copper indium gallium selenide (CIGS).

Also excluded from the scope of this order are crystalline silicon photovoltaic cells, not exceeding 10,000mm² in surface area, that are permanently integrated into a consumer good whose function is other than power generation and that consumes the electricity generated by the integrated

crystalline silicon photovoltaic cell. Where more than one cell is permanently integrated into a consumer good, the surface area for purposes of this exclusion shall be the total combined surface area of all cells that are integrated into the consumer good.

Modules, laminates, and panels produced in a third-country from cells produced in the PRC are covered by this order; however, modules, laminates, and panels produced in the PRC from cells produced in a third-country are not covered by this order.

Merchandise covered by this order is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 8501.61.0000, 8507.20.80, 8541.40.6020, 8541.40.6030, and 8501.31.8000. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of this order is dispositive.

3. As discussed in paragraph 2 above, Commerce considers modules, laminates, and panels produced in a third-country from cells produced in the PRC are covered by this order. However, modules, laminates, and panels produced in the PRC from cells produced in a third-country are not covered by this order. Since importers may import modules, laminates, and panels produced in the PRC from cells produced in a third-country, third-country case numbers have been established to allow such merchandise to be properly claimed as subject merchandise upon entry. Paragraph 4 below provides information for a third country company-specific case number for which we have established a case number for merchandise covered by the scope of this order (see messages 2346303, dated 12/11/2012, and 2163303, dated 06/11/2012).

4. The following is a third-country company-specific case number corresponding to a specific PRC producer and/or exporter of PRC solar cells, established for merchandise from Malaysia that is covered by the scope of this order. This company-specific case number has been assigned for countervailing duty Customs purposes.

Third-country: Malaysia

PRC Producer and/or Exporter: Hainan Yingli New Energy Resources Co., Ltd.

Case Number: C-557-989-001

5. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OVII:GC.)

6. There are no restrictions on the release of this information.

Sherri L. Hoffman

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party